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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



OUR POWER IS UNITY

All the actions staged by Belarusan opposition last years were conducted not only under the motto of struggle against the totalitarian regime but also against unification of Belarus and Russian Federation. As far as the union state is concerned it is thrust on the Belarusan people from above. These two objectives: fight against A.Lukashenka's regime and against any unification initiatives with Russia, – became indivisible last years. These objectives pursue one task: to defend democracy in the country, to assert human rights and by this to keep sovereignty of the country.

First actions of the opposition held this year were charac-terising from this point of view. Young people adherent to democratic principles tried to prove it on 14 February during the "action of love" dedicated to the Saint Valentine Day, which was organised by Malady Front. Young generation wants to realise in word and deed Kastus Kalinowski's (national hero) call: "Whom do you like? I like Belarus!" young people handed their petition to the Minsk-based embassies of the biggest and the most influential countries. The petition says that they would like Belarus as a country to be a part of a big family of democratic European states, they are ready to fight for independence of their Motherland and, of course, they spoke out against integration with Russia, which in effect means incorporation of Belarus into Russian Federation.

"Hot Spring-2000" will start on 15 March when the "Freedom March-2" is scheduled to be held. 15 March is a Day of Constitution of the Republic of Belarus. And the "Freedom March-2" will be also held under the slogans: "Down with the totalitarian regime!" and "No! To the Union!" In fact only Russia has friendly relations with Belarus today. And as a matter of fact it is Russia that is supporting ruling regime. Russia gives A.Lukashenka gas, oil and other raw materials. It was Russia that provided A.Lukashenka with the opportunity to win in political crisis in 1996. Thus, A.Lukashenka with the assistance of Russian "referees" carried out a coup d'etat and seized all power in Belarus.

Recent developments prove that A.Lukashenka is not going to share his boundless power. Lukashenka is afraid to hold answer for what he has done with country's economy, strict suppressions and repressions against opposition members, for poverty in the country... The new Electoral Code, adopted by the assigned National Assembly, is considered non-democratic by the international organisations and biggest political parties of the country. It doesn't provide Belarusan people with equal opportunities, fair and democratic mechanisms during elections. It is this Electoral Code that A.Lukashenka is going to use in this autumn when the parliamentarian elections are going to be held.

Belarusan opposition has already applied all possible means and talks with A.Lukashenka in order to preserve democracy and democratic institutes in the country. But it failed. Lukashenka sets only one task for himself: to

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CHRONICLE

On 12 February, **organising assembly of International Parliamentarian Solidarity Union on Support for Democracy in Belarus was held in Vilnius. It was conducted within the framework of the international conference "Human rights and democracy in Belarus." Fourteen deputies representing Belarusan, Lithuanian and Polish parliaments became first members of the new created Union. The parliamentarians expressed their solidarity with imprisoned Belarusan deputies of the 13th Supreme Soviet A.Klimaw and U.Kudzinaw; they were also against decision made by the Belarusan authorities not to allow for Anatol Lyabedzka – vice-speaker of the 13th Supreme Soviet dissolved by A.Lukashenka – to go abroad.**

On 14 February, **Aleg Bazhelka, Prosecutor General of the Republic of Belarus, said in TV interview that the investigation of Mikhail Chygir's case disclosed one more fact, which proves that Mikhail Chygir is guilty. He said that Mikhail Chygir being Prime Minister gave on credit 4 million US dollars... Such expressions made by the Prosecutor General without court resolution concerning the results of the investigation is nothing but violation of the presumption of innocence.**

On 15 February, **meeting-requiem dedicated to the anniversary of the withdrawal of the USSR military troops from Afghanistan was staged on the Tears' Island in Minsk. About two hundred warriors who had carried out their military service in Afghanistan gathered together to honour the memory of those who perished in that war at the call of the Co-ordinating Council of the Democratic Forces. Two militiamen "kept an eye on" the action, which was banned by the City Executive Council.**

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PUNISHMENT FOR THINKING DIFFERENTLY

On 14 February 2000 the Minsk City Court brought a verdict to Nadzeya Grachukha – under-aged schoolgirl from Barysaw. She was charged of breaking the article 186.2 of the Criminal Code of the Republic of Belarus (disrespect of state symbols). The point is that Nadzeya Grachukha burned down a piece of green-red cloth during opposition-organised action on 21 July 1999 in Kastrychnitskaya Square dedicated to the end of A.Lukashenka's presidential mandate. Militiamen, as always, filmed everything...

This videotape was used by the prosecutor's office as evidence and it let them to institute criminal proceedings against Nadzeya Grachukha. It led Nadzeya's mother to the Human Rights Centre "Viasna" for help.

The investigation process was carried out slowly and the investigator all the time tried to convince Nadzeya's mother that they would soon terminate the case and that there wouldn't be any trial and court hearings. Nadzeya Grachukha was summoned to the Minsk City Court when half a year had passed since 21 July.

It was never proved what subject Nadzeya Grachukha burned down in Kastrychnitskaya Square. The militiamen and the investigation failed to give any material evidence to the jury. The expertise for identification of material evidences was not conducted also though they could do it.

Nadzeya Grachukha and her lawyer sated that the piece of green-red cloth that had been burned down was merely a symbol of tyranny and dictatorship in the country and it was not the National Belarusan flag.

Nadzeya Grachukha held herself confidently during the trial and she didn't retract her beliefs and didn't deny her actions in Kastrychnitskaya Square on 21 July. While speaking out on the trial Nadzeya said that she believes in the near future all over the country and over every building there will be risen real National and historical Belarusan white-red-white flags. And she believes that a new power will understand her.

Nevertheless the judge found Nadzeya Grachukha guilty and under article 186.2 of the Criminal Code of the Republic of Belarus the judge fined her 22 million roubles (approximately 15 US dollars).

The mother of the convicted girl supported her daughter in full. She said that they would pay off the fine but they would never change their viewpoints.

Information department of the HRC "Viasna"

"...DEMONSTRATED ANTI-STATE SYMBOLS"

BELARUSAN AUTHORITIES WANT TO INTIMIDATE THE YOUTH BEFORE "FREEDOM MARCH-2"

> ***"The state guarantees for every child freedom of speech, thought and faith; the right to have independent viewpoints and beliefs, the right to create and participate in the children organisations, the right to peaceful assemblies and rallies as well as the right to choose one's own way of life."***
> *(Art. 188 from the Code of the Republic of Belarus about marriage and family.)*

It has always been comfortable to be a ruler of quiet, obedient and always agreeable to a ruler people – people who haven't got their own opinion and who are always ready to fulfil any order even sensible one...

Upbringing of such people in our country begins from early childhood. Children usually are taken outside for a walk in the column "holding hands" in the kindergartens. In the school during classes everybody must sit quietly and hold his or her hands on the table. In case that one does something wrong teachers might put down reproof in one's diary, send to the director's study or "invite" parents of a breaker of the school order for a talk to school, or even intimidate such schoolgirls and boys by bad characteristics, or at last to expel from the school. In this way they inculcate discipline in young people and our children get accustomed to fear and to lies. But teachers don't want to understand that a new rising generation dramatically differs from previous ones. These children were born free they know what the Universal Declaration of Human Rights is. Today's young people are interested in the history of their country; they learn the language their ancestors used to speak; and they realise that they are successors of great people. May be this explains the fact that the majority of people participating in the opposition-organised actions is the youth. Today they are not always strong enough to prove that they are right and to stand upon their rights and views. But they will never be a "generation of obedient slaves!"

Belarusan authorities do understand it and try to do their best to neutralise young people and to prevent them from active participation in the opposition-organised actions. Authorities does it with the help of teachers who make fool children and who intimidate them. The story, which was told in the public reception of the Human Rights Centre "Viasna" by Liliya Valyantsinawna Prazorskava, is about what we were speaking off above. Her son Kiryla is studying at the Art College named after Akhremchyk. On 14 February in the evening Liliya Valyantsinawna was phoned by form monitor of her son. The woman reported that Liliya Valyantsinawna's son went to the meeting organised by Malady Front with white-red-white flag and added that Kiryla might be expelled from the College for this. Kiryla is a clever boy and always gets good marks. But his viewpoints often provoke frictions with some teachers. The point is that two years ago Kiryla decided to speak the Belarusan language. From that moment a lot of problems arose. For instance, teacher of the German language didn't call out Kiryla because she doesn't understand the Belarusan language. Teacher of the Russian language and Russian literature used to express not once her dissatisfaction with Kiryla's interests. The reason is Kiryla knows very good not only Pushkin's poetry but read Belarusan writers and poets. The class monitor expressed her attitude to the Belarusan language saying: "I can't stand this language!" (Belarusan language is one of the state languages in Belarus – edit.)

And here it should be mentioned that Art College where Kiryla Prazorskaw is studying has a status of the education establishment where all the subjects and lessons must be delivered in the Belarusan language excepting for foreign languages and literature. According to L.Shakhava – director of the College future elite of the country is studying there.

Liliya Valyantsinawna herself didn't learn the Belarusan language in her childhood. It was permitted in that times not to learn it. But now Liliya Valyantsinawna is glad because her son gave an example and helped her to begin speaking the Belarusan – her native language.

We also talked with Kiryla and got interested in his opinion regarding her mother's story, may be she exaggerated something.

— Troubles began on 14 February in the evening. I left national white-red-white flag (banned by Lukashenka – edit.) in the cloakroom. I took flag to the College as I was going to participate in the meeting-rally dedicated to Saint Valentine Day on 14 February. This year it passed peacefully.

— *How did they get to know in the College about your plans and about flag?*

— Obviously, somebody

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YOU'LL ANSWER FOR THE SLANDER...

A MINSK INHABITANT VERA TSERLUKEVICH ASKS TO PROTECT HER HONOUR AND DIGNITY, HUMILIATED BY THE BELARUSAN TV-REPORTER ALEXANDER ZIMOWSKY.

In a week after the 17 October "Freedom March" one of its participants Minsk pensioner Vera Maksimawna Tserlukevich sued the Belarusan TV company and its "TV-star" reporter Alexander Zimowski. Vera Maksimawna demanded to protect her honour and dignity, to disproof the slander words that was said about the participants of the "Freedom March," and to compensate the moral damage brought to her by this TV-reporter. She estimated moral damage brought to her 3 billion non-denominated roubles. The application was accepted several times, but it was given back increasing the cost of the legal expenses. Finally, Vera Tserlukevich had to pay her pension (at that time 14 million rouble). More over she borrowed 1 million at her neighbours. And finally, thanks to the ordinary pensioner we could see A.Zimowski in the court on 9 February.

Zimowski appeared there in the court indeed. But not alone – he was accompanied by TV representative, however as it's said in such cases, without security. It's not even funny to talk about the carriage conscience of this man in such a case, but impossible – probably, he was "betrayed" by the brass.

TV-reporter A.Zimowski probably dared to appear in public for sure. Usually he doesn't appear in the places of events – he just makes comments from the screen, wiring for sound videotapes made by the police. Answering the protocol questions, he didn't dare to tell his residential address, he simply let the secretary to use his passport. A typical gesture of a moor, that has made his business.

Judge Yasinovich first proposed to the sides to solve the problem in a peaceful way. But Mrs. Vera Tserlukevich said that she has heard the slander about everything connected with Belarusan from some TV-reporters for already more than three years, and if let them act they will make all of us "stupid animals" in our Motherland. And she wants to be a descent lady but not stupid being.

The one whose name became in Belarus a synonym of mud, lie and nonsense disagreed to make it in a peaceful way.

Vera Tserlukevich has been visiting the actions of protest since 1991. Working as a crane operator at the Minsk Tractor Works she was elected chairwoman of the plant striking committee. Vera Maksimawna says that since early 1990s she has felt the pressure and interest to her from the police. But she was retired from the plant, literally she was forced to retire in 1996 after her detention during Chernobyl rally.

As a decent citizen of the Republic of Belarus, Vera Tserlukevich is worried about the future. Her native village Vysoki Bor (Krasnapolski district, Magilew region) was deserted and buried because of the high radiation-rate. These are the places, over which the Soviet aeroplanes "shot" the radiation clouds after the Chernobyl catastrophe. It was the clouds that were going straight to Moscow. Having lost her place of birth, you



Vera TSERLUKEVICH

surely feel the sharper sort of pain for keeping your Motherland safe. On 13 October when Belarusan TV showed the discussion connected with integration with Russia, Vera Tserlukevich made a phone call to the studio. But she wasn't let to say even a word, because she was "against". The citizens of another country occupied the studio. It was Russian politicians who discussed the destiny of the Belarus' future. Vera Maksimawna managed to get in touch by the phone with chief editor, but he said that it was out of his competence to let citizens speak freely on the air. "After this I couldn't help participating in the "Freedom March" and supporting people who are against union between Belarus and Russian Federation, and who can't express their thoughts openly on the air of the only TV-channel in Belarus," – said V.Tserlukevich during court hearings. She added that in general she is not against Russian people and divides people "according to their conscience, but not nationality."

On 17 October in front of the police cordon near the Gorky Park Vera Tserlukevich begged enforcers to let the demonstrators go. However when special police detachment officers with truncheons in their hands started chasing the retreated people, the woman found herself in the park. On that very day "Rezanans" showed the videotape where one could see confused and unaware what to do Vera Maksimawna standing near the heap of bricks. By the way, in 1996 Mrs. Vera Tserlukevich was already beaten by enforcers and had to be on sick leave for two months.

The videotape proved that the "Rezanans" reporter read the text full of slanders: "trained stupid beings," "fascist youngsters..." and so on.

"Such old stupid women like me built houses, roads, cars..." – said Vera Tserlukevich to A.Zimowski, — and now we are participating in the demonstrations of opposition, we fight for yours future, for the future of young people! I want Alexander Zimowsky's generation to live the way people live in Europe and America. And people were forced to start fighting on 17 October with the police because they are tired of humiliations and repressions." Zimowski grimly looked at the window while Vera Tserlukevich was speaking out.

Explanations of A.Zimowski from time to time sounded like pure demagogy. "You see, after my program no one called you "stupid"! You see, after the demonstration your pension was increased like everybody's!" A.Zimowski was not confused by the fact that after his program Vera Tserlukevich was crossed out from the queue for apartment and from the list allowing her to get material support from the Tractor Works (she was a member of the Council of Labour Veterans of the plant). "Follow your BPF leaders and lie down on the railway! – they advised to Vera Tserlukevich, — and let them give you a flat!" A.Zimowski said also that the words he used during TV-program were just "appraisals" and every journalist has the right to give someone or something his own appreciation.

A.Zimowski read out the text he had presented on the open TV air on 17 October (on 18 October "Rezanans" was repeated again). And the text was indeed the same. But the videotape demonstrated in the courtroom immediately caused everybody's doubt concerning with its identity to the original. It didn't contain the frames with Vera Tserlukevich.

As a spectator who watched TV programs on 17-18 October I noticed the absence of other frames and comments as well. Say the text about "the press bought by the West" and the "picture" that "has been corrected on the place of events." And now the "original" has lost the frames with journalists, many wide plans, and in general those where certain participants are seen in the crowd. Is it done for possible witness- participants of the "Freedom March" couldn't prove to the jury their presence in the action (possibility and the right to witness)?

Evidently seeing the re-montage of the "Rezanas" program A.Zimowski as well as TV representative G.Apanasenka categorically deny this fact. However, as Apanasenka clarified referring to the law on press and other mass media, TV-companies are obliged to store the program record during one month from its first presentation. However much more time has already passed. It means that formally no one can guarantee that the tape is the same.

As far as the Belarusan TV responsibility for slandering by Zimowski is concerned, he tried to get rid of it saying literally "Belarusan television is not censored." That the texts for the "Rezanans" are not necessary have to be agreed with the brass and that he didn't do it on 17 October. But is it true that everybody's

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REGIME PROTECTS ITS SERVANTS

THE CITIZENS OF BELARUS BEATEN AND HUMILIATED BY THE POLICEMEN DURING AND AFTER "FREEDOM MARCH" ARE REFUSED TO FIGHT FOR THEIR HONOUR AND DIGNITY

The opposition parties claimed that they started preparations for the "Hot Spring-2000." One of the first steps of it will be the "Freedom March-2." More than 4 months have passed since the first "Freedom March" took place. But the echo of those events that took place in Minsk on 17 October 1999 is still heard today. The prosecution of six participants of that action is still under way; the number of the citizens of Belarus trying to hide away from the persecutions somewhere abroad is increasingly going up; more and more details of this memorable day arise.

In "The Right to Freedom" one could read sensational declaration of Aleg Baturyn, the lieutenant of the police. According to him, the clashes between the demonstrators and the policemen were provoked and planned beforehand by two special services; moreover, the policemen in disguise threw the stones at their own companions and they were the most active ones in the skirmishes.

Furthermore, in February it became known that three more participants of the action, who in the very first days told the mass media about the way they had been beaten up and tortured in the charge offices and buses on the way to the inquisition isolator, asked for political asylum in the Netherlands. These were Uladzimir Charnow (see his declaration in the 21st issue of the "The Right to Freedom"), Volga Bar'yalai (the 20th issue of "The Right to Freedom") and Syargei Yakimovich. Today the speculations on their petitions for political asylum in the Netherlands are dragging their close.

Human Rights Centre "Viasna" received the copy of the ordinance on the denial to institute criminal proceedings, signed by A.Novik, the prosecutor's assistant of the Minsk Partyzanski residential area. Thus the petitions of 11 participants of the action who suffered during and after the "March" of the 17 October are denied. These people are: Valery Prazhnikaw, Pavel Gormash, Alexander Shchurko, Ales Antsipenka, Syargei Yakimovich, Volga Bar'yalai, Uladzimir Charnow, Alexander Nikitsin, Syargei Babaryka, Aleg Kosaw, and Uladzimir Kashchenka. Here some quotes from the paper. "According to the participants of the Freedom March, who wrote petitions, — the prosecutor writes, — on 17 October in the afternoon they were arrested by the policemen and taken to the Partyzanski Administration of Internal Affairs to be later on brought to book for participation in the unauthorised meeting. After the officials of the Partyzanski Administration of Internal Affairs made a revision and drew up administrative reports, the above mentioned and other people arrested were put in the custody isolator of the Partyzanski Administration of Internal Affairs. Around 2 a.m. on 18 October,



1999 the officers of the special police detachment entered the room in which the arrested were kept and started using bad language towards them. After that in order to get the arrested to the custody reception centre the officers led them out of the location of Administration of Internal Affairs, among which were Valery Prazhnikaw, Alexander Shchurko Alexander Shchurko, Ales Antsipenka, Syargei Yakimovich, and Volga Bar'yalai. Then the policemen put the arrested in a special bus meanwhile pushing, kicking and beating them up. In the bus everybody was made to lie down. On the way people arrested were humiliated, threatened to be murdered, violated and beaten. Around 6 a.m. the officers of the special police detachment came back to the Partyzanski Administration of Internal Affairs to take the rest to the custody reception centre. While getting the arrested in the bus the officers used bad language towards the arrested, punched, kicked and beat them with truncheons. In the bus everyone was made to lie down. On the way these people were again humiliated, threatened, violated and forced to sing songs. P.Gormash, U.Charnow and A.Kosaw were brutally beaten up.

The same information was given by U.I.Zvernic, V.Ya.Slyshkin, R.P.Kramko, B.L.Ganenka, P.A.Pyrkin who were in the bus as well.

The officers of the special police detachment of the Chief Administration of Internal Affairs of the Minsk Executive Committee (Yu.N.Lukash, A.S.Pyachorski, V.M.Aniska, I.M.Yatskowski, D.L.Alyashkevich, A.B.Sanovich, I.N.Raptunovich, D.V.Balaba, V.A.Gayewski, I.I.Pratasevich and S.V.Chernik) said that on 17 October, 1999 around 10.30 p.m. they were given the order to go to the Partyzanski Administration of Internal Affairs and to take the arrested to the custody reception centre for the participation in the unauthorised meeting. The arrested were taken there on the bus in two rides. The first ride – 11 arrested – started at about 2 a.m. on 18 October 1999; the second one – 16 people – at about 5 a.m. on 18 October 1999. As nobody made any resistance while getting on the bus and on the way to the custody reception centre, the officers of the special police detachment never used physical strength and special devices. During all this nobody of the officers used bad language, humiliated the arrested, or made anybody do anything.

The officials of the Partyzanski Administration of Internal Affairs N.L.Vazhnik, A.A.Uminski who witnessed the fact of the arrested getting on the bus, and the official of the Partyzanski Administration of Internal Affairs A.N.Pats, who was on the bus while taking the arrested to the custody reception centre said that the officers of the special police detachment didn't use physical strength, bad language, didn't humiliate the arrested and never forced them to do anything.

According the results of the medical examination, those people who wrote petitions were lightly hurt, which didn't result in short-time health damage.

Under such circumstances there are no grounds to think that the officers of the special police detachment committed a crime.

On the basis of what has been said above, according to article 5 (p.2) of the Criminal Code of the Republic of Belarus and article 111 of the Criminal Code of the RB it was stated that:

The request to institute criminal proceedings against the officers from the special police detachment, who on 18 October, 1999 were taking the arrested for participating in the unauthorised meeting to the custody reception centre is to be rejected as there is no corpus delicti in the officers' actions..."

Interesting paper, isn't it? It shows the real essence of our law "machine" today. The prosecutor who is to serve the law turns a deaf ear on the testimony of a number of people who witnessed the fact of being beaten up and tortured. He pays no attention to the "light injuries" and on the basis of the evidence of the people who are interested in the matter comes to a conclusion that there is no corpus delicti.

As we see three of the victims are already abroad. And one more – Alexander Shchurko decided not to stop in looking for the truth. His last petition to the court dates back to 3 February 2000 (the previous ones were disapproved). In the petition A.Shchurko enumerates the policemen-criminals (the prosecutor A.Novik mentioned them as well but as witnesses). A.Shchurko describes the tortures he went through and demands to pay 100 million roubles for moral damage inflicted by the officers from the special police detachment, for illegal detainment, beating, tortures, imprisonment, and 5-day administrative arrest...

There is little hope that A.Shchurko will be able to get justice and compensation for the damages. And specially for him another "Novik" will be found at the Prosecutor's office.

Journalist Uladzimir Zvernik has lodged a complaint so far, either he gave his papers to the HRC "Viasna" that were addressed to the Minsk Executive Committee chief of police B.Tarletski. U.Zvernik reminds the general about his words in the "Narodnaya Volya": "...the officer who violated the law will not comfort himself with the thought that I'll stand for him. I'll do anything for this man to be punished." "And you, Mr.Tarletski, — the journalist writes, — have just taken upon your defence these actions of torturers. On the press conference you claimed that they acted in a full accordance with the law and didn't violate any instructions. In such case, general, could you remind me what articles of the Belarusan law on police or duty instructions are regulated such actions as: 1. Detention of journalists on duty and breaking their equipment or taking away their material evidences; 2. Drawing up accusation reports (copied) without detention reports and after the detained being testified;...5. Kicking the helplessly lying people; 6. Beating up to faint Miraslaw Lazowski; 7. Humiliation of women and threats to rape them...; 8. And finally, beating a young boy, not a Minsk inhabitant, who undoubtedly didn't participate in the Freedom March and accidentally got into a mass-capture..."

Uladzimir Zvernik gives the proofs of his claims and gives the names of the officers, who are considered innocent by the prosecutor Novik.

So in more than 4 months after the "Freedom March" those guilty in torturing innocent people are not punished, their guilty "is not proved." A.Lukashenka in his recent speech claimed taking into account preparations of the opposition for "Hot Sprin-2000" that the Belarusan force structures are entirely controlled by him and if necessary they will fulfil any of his orders in fighting with the opposition...

A.CHAS

"...DEMONSTRATED ANTI-STATE SYMBOLS"

(continued from p.2)

saw myself taking the flag from the cloakroom. On the next day our form monitor Natallya Leanidawna Badalava said that they saw myself with "anti-sate" symbols walking down the Minsk streets. And what is more, she accused me of breaking the law. But to be exact, she never said what law I had broken. Then she recollected my offer to study Russian Literature as one wishes but not as the curriculum subject, and a lot of other my previous "sins."

— How were the events developed after it?

— Our form monitor ordered to me to write explanations and to answer why I "demonstrated anti-state symbols" and took part in the meeting. I didn't agree. I said that after classes I went home and my parents could prove it. Natallya Leanidawna in response said if am so clever my studying could be terminated. And she added if I want to go on studying I was to write my explanations. So, I was forced to put my explanations down. I wrote that didn't participate in the meeting-rally, and the flag that I had was a "sunset over the marsh" (red-green state flag of the RB – *edit.*) but not the national white-red-white flag (banned by Lukashenka – edit.). I wrote that I'm interested in flags and collect them. In short, I wrote lies.

— Is your form monitor the only teacher in the College that charges you of participating in the street actions of the opposition?

— No, she is not. There are a lot of them. I can't understand what they are afraid of. For example, Nela Ivanawna said that this time I was lucky boy. But if something of this kind will ever happen I'm lost. I'll be expelled from the College.

— Was it first conflict between you and the administration of the College?

— No. You know I have no problems with studying but I always openly express my viewpoints and my attitude to different problems. And usually such behaviour in our country is not welcomed. For example, two years ago I was brought to the director's study "for a talk" for my attitude to the reformed Belarusan language (it was reformed in the first half of this century – edit.). That was the first time when they wanted to expel myself.

— Are there a lot of such brave young guys in your College?

— No. The majority of my classmates are afraid to express their thoughts openly. Especially those who live in the hostel.

— Has your College a status of the education establishment where all the subjects and lessons must be delivered in the Belarusan language?

— Yes. But in fact only few teachers have good commands of Belarusan language. And almost all the lessons are deli-vered in the so-called "Trasyanka" (a mixture of Belarusan and Russian languages – *edit.*) for instance, such subjects as the history of art, physics, civil defence and other are taught in Russian.

What Kiryla and his mother told us about is not an extraordinary case. In fact it is common situation all over the country. This story describes how usually administrations of educational establishments fight against people thinking differently. These people that think differently are our children, they are students and schoolboys and girls. They want to have the rights provided by the Constitution and nothing more. They have their viewpoints and they realise what is going on in their country. If the regime can't attract the youth it is left only one thing – to intimidate it.

Interviewed and prepared by Leanarda KATKOVICH

EVENTS FACTS COMMENTS

(Beginning on p.1)

On 16 February, Gary Paganyaila, lawyer of the political prisoner Andrei Klimaw, asked the court to summon Uladzimir Yarmoshin – former mayor of Minsk – to the court as a witness. The judge Vera Tupick declined Gary Paganyaila's petition about interrogation of Uladzimir Yarmoshin who is now acting Prime Minister of the Republic of Belarus.

On 18 February, the Prosecutor Galina Radkevich made an accusation speech concerning Andrei Klimaw's case. She asked the court to sentence Andrei Klimaw to nine years of imprisonment in a strict regime colony with property confiscation. She also asked the court to sentence Leanid Valkovich (one of the Andrei Klimaw's assistants) to five years of imprisonment also with property confiscation. On 21 February Andrei Klimaw's lawyers made their speeches in defence of the accused businessman. The lawyers acquitted their client and asked the court to bring justifying verdict to A.Klimaw. Andrei Klimaw doesn't plead guilty and considers the persecutions against him pure political ones. The final verdict to Andrei Klimaw might be brought on 9 March.

On 19 February, Aleg Baturyn, militia lieutenant who made a sensational statement about the events that took place in Minsk on 17 October during and after "Freedom March," was fired. Aleg Baturyn's nonpresence on the working place was the official reason of his dismissal. Meanwhile, it became known that Aleg Baturyn's brother Mikhail with his fiancke had already left Belarus.



February 15, 2000 in Minsk

On 19 February, officials of the passport-registration department of the Minsk Savetski Administration of Internal Affairs burst into the hostel room where a wife and two daughters of Yury Byazruki – member of the Belarusan Popular Front – live. There were three people in the room Yury Byazruki and two his daughters – Aksana (13) and Margaryta (8). Yury Byazruki's wife Svyatlana was out. Savetsky Administration of Internal Affairs' officials asked Yu.Byazruki to present his passport for examination. It turned out that Yu.Byazruki's passport was registered in another place (he is currently registered in his mother's flat in Minsk) but his wife and two daughters are registered in the hostel.

The officials of the Administration of Internal Affairs charged Yu.Byazruki of breaking the registration order and drew up a charge sheet. What is more they demanded Yu.Byazruki to get out from the room where his wife and daughters live. The matter is Yu.Byazruki and his wife have been active members of the Belarusan Popular Front for already ten years and this fact was the reason of such treatment. Yury and Svyatlana always take part in the mass actions of protest. They are computer engineers. Yury for a long time provided the BPF and information-analytical centre of the BPF with computers and computer programmes. The HRC "Viasna" believes that persecutions of Yu.Byazruki and his family are connected with forthcoming protests of opposition.

On 21 February, Anatol Silivonchyk, Russian businessman of Belarusan origin from the Russian city Surgut, who last summer conducted a game known from the Soviet times as "Zarnitsa" in the village Mikalaewka, stood trial in Svetlagorsk (Gomel region). Anatol Silivonchyk together with fighters of the detachment "Berkut" took the inhabitants of the village Mikalaewka hostage and mocked at them. A.Silivonchyk spent eight months behind bars. He was found guilty under four articles of the Criminal code of the Republic of Belarus.

On 22 February, twelve Belarusan political parties – members of the Consultative Council of the Democratic Forces, made a decision not to participate in the parliamentarian elections, which are going to be held under the Electoral Code adopted by the Lukashenka's National Assembly. "Our today's power, which is not able to prolong its legal existence on the legal grounds, is going to stage an election spectacle with thoroughly worked out scenario. The political parties are not going to take part in this farce," – is said in the statement of the Consultative Council. The political parties consider that this Electoral Code doesn't meet democratic principals and the elections can't be general, free, equal, and fair.

On 23 February, it became known that the Ministry of Justice of the Republic of Belarus at last had registered the public organisation Belarusan Popular Front "Adradzhennie." But the political party Belarusan Popular Front "Adradzhennie" is not registered yet.

In February, Zmitser Abadowski – a son of the prominent human rights activist Syargei Abadowski from Magilew – stood trial in the Magilew Central District Court. The HRC "Viasna" believes that the prosecution of Zmitser Abadowski has political nature. We think that this prosecution is the persecution of Syargei Abadowski for his active political and human rights activities.

OUR POWER IS UNITY

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retain his power and make it legal one by means of talks with the opposition. International observers had already many opportunities to satisfy themselves of it. Belarusan opposition is not going to take part in such kind of games any more, including the farce called "parliamentarian elections." There is only one thing left: to state to the outer world that Belarusan people are against illegal power of Lukashenka, we are for democratic principals, we are for independence of our country. The actions of spring-2000 will be held under these slogans. Well known Belarusan politicians, leaders of public organisations, prominent artists and scientists declared about their plans to conduct Belarusan-wide congress. It's said in the statement "the aim of the congress is to state to all people in the world that the Belarusan statehood and welfare of Belarusan people are supreme values for all of us and we will never let to sell our Motherland on behalf of our name. We want and we will live among civilised peoples as equal having friendly relations with them and cooperating with them. And by this we will contribute to the progress development.

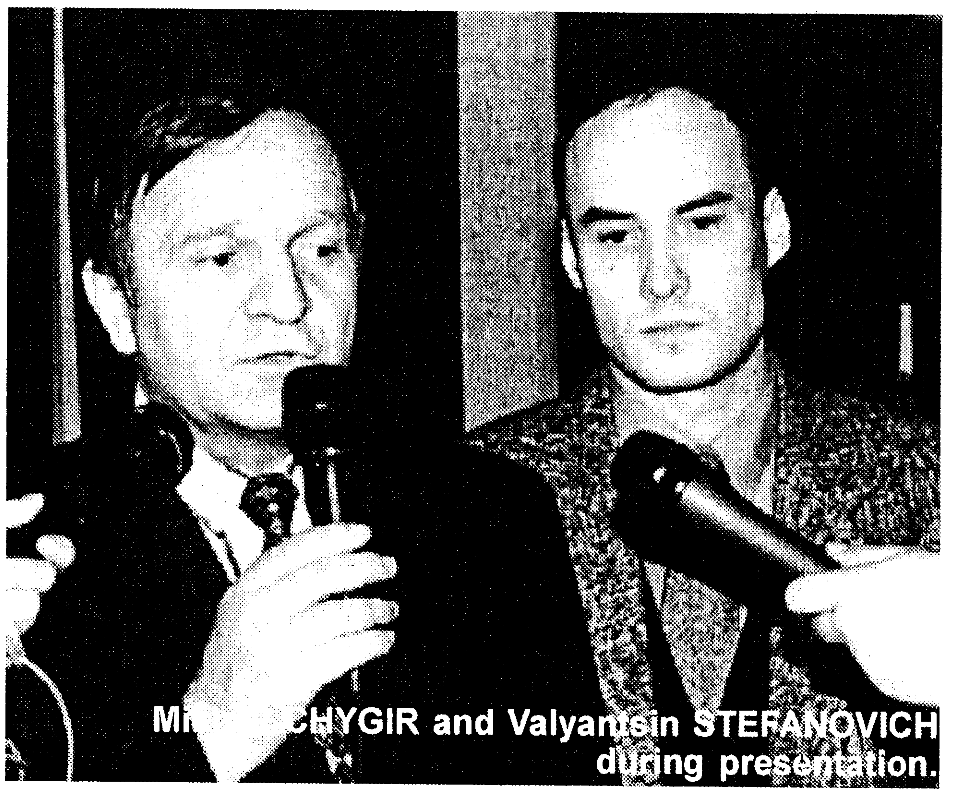
This year might become decisive in the fight for independent and democratic Belarus. Our power is unity. And it's unity and determination of all of us can help us to defeat the totalitarian regime and chauvinism." And thanks God there are more and more people in Belarus who understand this truth.

Andrei NALIVA

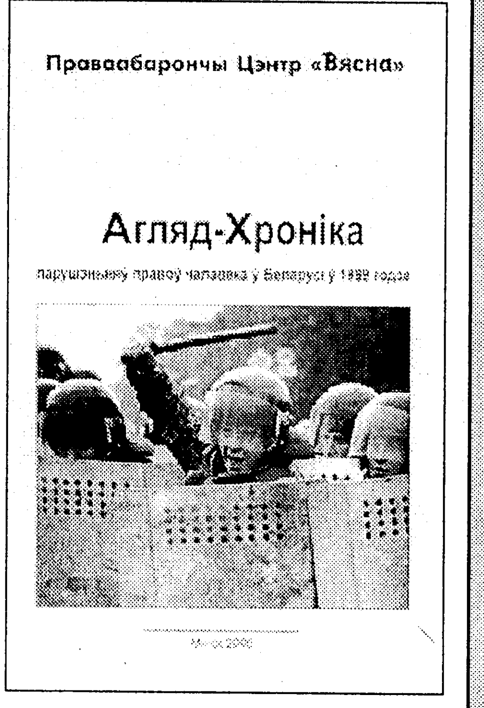
THE MOTHERLAND SHOULD KNOW ITS HEROES

YEARLY "REVIEW-CHRONICLE OF THE HUMAN RIGHTS VIOLATIONS IN BELARUS IN 1999" WAS PRESENTED BY THE HUMAN RIGHTS CENTRE "VIASNA" ON 29 FEBRUARY

The situation in the field of human rights in Belarus became worse in 1999 in comparison with the previous years – such a conclusion was a leitmotiv of the talk that took place during presentation. And the "Review-Chronicle of the human rights violations in Belarus in 1999" is a good evidence of it. The Human Rights Centre has monitored step by step the violations of human rights in the country by the Lukashenka's regime in 1999. The "Review..." consists of 18 parts where the violations of the fundamental human rights of the Belarusan citizens are listed... Special parts of the "Review..." are dedicated to political prisoners and disappearances of the opposition leaders, persecutions of the organisers and participants of the mass actions of protest, persecutions of youth, businessmen, political parties and movements, national minorities etc. Special attention was particularly paid to violations of the human rights during pre-election campaign and presidential elections itself on 16 May 1999 as well as to the persecutions of the human rights organisations in Belarus including HRC "Viasna." All the events are given without comments and attempts to impose certain viewpoint.



Mikhail CHYGIR and Valyantsin STEFANOVICH during presentation.



Mikhail Chygir, former Prime Minister, who had been arrested during the election campaign in the spring 1999 and who was one of the candidates to the presidential office made a speech. Then Andrei Klimaw's wife Tatsyana, Svyatlana Ulasava – a daughter of Vasil Lyavonaw former Minister of Agriculture, prominent opposition leaders Mikola Statkevich, Yury Khadyka, Anatol Lyabedzka, Aleg Vouchak, Natallya Navakowskaya mother of Alyautsina Navakowskaya – underaged girl perished during the tragedy on 30 May 1999 on Nyamiga metro station spoke out. All of them as well as servicemen of the regime are the main "characters of this book." All the people, who spoke out, emphasised the importance of work human rights activists do in Belarus. They also pointed out that it was very important for them, especially for those who was put behind bars, to know that there are people at large who remember about those illegally put in custody, who fight for their release and help the families of illegally imprisoned people.

Valyantsin Stefanovich, deputy chairman of the Human Rights Centre "Viasna" conducted the presentation.

"Review-Chronicle" was issued in the Belarusan, Russian and English languages and every variant came out in a separate book. Everybody can get acquainted with "Review-Chronicle" on our homepage. You are welcome on:

www.spring96.org

YOU'LL ANSWER FOR THE SLANDER...

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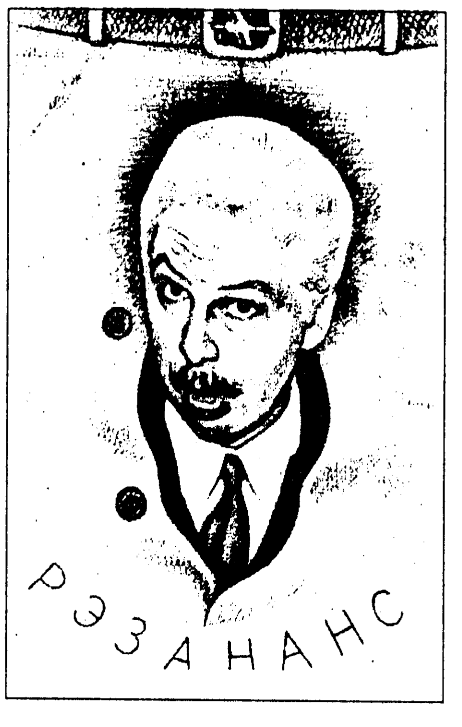
point of view on the events the same with the authorities? It turns out that no one knows the appropriate answer to this question.

Even before court hearings Vera Tserlukevich said that there is no hope to win the case. And she was right. A.Zimowski even his speech in the face of the court audience turned into "mini-Rezanans": the same demagogy, lies, and the same "honest" eyes.

He referred to the lexicon of other journalists who are considered independent and whose usual words during their comments are "boundlessness" and others. And "TV-star" Zimowski takes it as a "criminal slang."

The court decided to take a linguistic expertise of the expressions used in the program "Rezanans". On the one hand, it gives the possibility for the Belarusan TV representatives to put off further examination of the case. On the other hand, experts can evaluate many unique words of the TV-star, for example, "brainless agony of demonstrators," "opposition is like a zipper: sometimes such things appear!" "weary faces," if not mentioning "stupid opposition members."

But the linguistic expertise is not enough. It's worth demanding the defendant to give his explanations concerning the sources of information he uses, for instance, such information: "meeting



was accompanied by explosions and arsons" (it was repeated twice in the text of the program!). He even tried to intimidate Belarusan people causing the associations with tragedy on Nyamiga metro station by his program. Zimowsky says also about "warmed with alcohol" meeting participants as well as about "beating shop-windows" in his program He calls independent journalist "bought journalists," "corrupted" etc.

And one should answer for the slander – sooner or later! And it must be so!

Tatsyana SNITKO

P.S. "The Right to Freedom" is going to keep up with developments concerning this case and inform its customers about it.

VALERY SHCHUKIN

CUSTODY UNIVERSITIES

One can make a conclusion that Belarusan judges while considering political cases are taking into account not the state interests, international law and human rights standards but the regulations of the presidential vertical line.

It became a proof when I received information from my prison cellmates who said that even before the judge Gancharyk announced his decision, they knew not only about my arrest, but also about the cell I was going to get into. The fact of the well-planned action made by the police is that a police TV-operator appeared in courtroom with video camera. Probably someone lacked a document proof of the mistake in the Minsk Savetski Administration of Internal Affairs having been corrected and myself being sent to prison to face there the celebration of the Old New Year. And maybe "authorities wanted to entertain themselves by watching a video-clip of the opposition member humiliated... I can only guess about it now. But it can be described without any guess that executing authorities' orders, judge Gancharyk instead of giving me possibility to recover from illness, sent me to the "prison diet." Is it well-known humanism, isn't it?

That is the way authorities acted against the chairman of the Supreme Soviet counsellor Genadz Karpenka (it's a pity he has gone). Wishing to imprison him as soon as possible and to put him behind bars in the "Sanatorium" (a prison in Akrestsin Street – edit.), authorities sent armed guards to... the hospital, where he was. At that time the Prosecutor's office didn't notice anything malignant in it.

With regard to it, it is getting clear the impossibility of Belarusan and world public efforts to release for recovering the famous political prisoner, deputy of the Supreme Soviet Andrei Klimaw. Taking into account, the aim of authorities to destroy physically or mentally and to threaten the active opposition members. And it's pity that the one who regulates can't be brought to responsibility: there's no article in the Criminal Code, which would stipulate punishment of such people. And generally these orders are given in a loud voice, but not in writing, and are not fixed at all. But the executors – doctors, judges and other service people involved will have to be responsible for damaging people's health.

(Continuation. Beginning in № 1-3)

TAKING CARE OF HEALTH IN BELARUSAN WAY.

Very often all those I met by fate in a special reception centre told me that they were cruelly beaten up in the police stations and prisons.

For example, my cellmate, Russian ensign S.Antonov according to his words, was beaten in Leninsky and Savietsky Administration of Internal Affairs. I saw the back of the Russian man filled with bruises and traces of policemen's boots. But Antonov is not a kind of hard drinker and tramp (that can't be beaten as well), but ensign, who was in Afghanistan and Chechnya, was in captivity and ransomed with Frenchmen. In Minsk he had been handcuffed, his medals were thrown, his teeth broken, his body tortured. After such treatment "making you look younger" Sergei Antonov had bleeding urination for several days.

Or another my prison cellmate, a descent man with a family, father of two little Belarusan citizens, Azerbaijanian Shakhin Zafarov. When arrested he had high blood pressure and the duty man had to call ambulance. We were all witnessing this: ill man, handcuffed to be thrown into the ambulance car by kicks in the presence of doctors.

I can give a lot of such examples, bat let's go back to our case. The procedure of illegal imprisonment of an ill man who needs medical treatment, begun in court, was continued in the Minsk Savetski Administration of Internal Affairs. There they even didn't want to hear about emergent medical car. The chief executive of the Administration of Internal Affairs denied to accept me. Surely, he got a good sort of punishment from his brass for inability to imprison me earlier twice.

In January 11, 1999 foolishness made by court and police towards an ill man was ceased only in the special custody centre in the Akrestsin Street. There they refused to accept a prisoner with his sick list unclosed, and police convoy headed by a sergeant took me to the hospital. To cause the anger of the Savetski representatives, a doctor made my sick list two days longer and appointed me to come in January 13.

An innocent man convoyed, who is not a criminal, in hospital (being a former marine I'm registered in the military hospital) – it's not anything else but moral torture. The guard didn't let me take necessary medical procedures and convoyed me to the hospital of emergency cases. After visiting hospital, policemen had kept me in the station for two more hours. And only after that they put down summons to appear in the Administration of Internal Affairs on 13 January an hour later after visiting doctor.

So, the third effort of the authorities to put me behind bars, ill man, tortured by them, failed.

HUMILIATION OF THE OFFICER'S HONOUR.

Moral humiliation of officers, handcuffs, convoying them by sergeants, "kicks," vulgarism – it's usual things for Belarusan police. After political actions of opposition policemen take peaceful citizens and no matter their age, ranks and rites. They threw them to the "dog places" in their cars, put them into the concrete cells, torture them with fame and cold. They have no idea of the procedure of individual appearance to police station. Because if one has no dignity in himself, it's very difficult to admit that somebody else has got it.

I signed the papers and said I'd be in the Savetski Administration of Internal Affairs on 13 January in time. It was an officer's word and I appreciate it very much. But anyway passing through a checking out in the military hospital on January 13, I saw a police major in the corridor, who said he got there "accidentally" in a car and kindly proposed me to take a lift to the Administration of Internal Affairs.

(To be continued)

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Address: 220013, Minsk, p/b 49. E-mail:viasna@crosswinds.net viasna@spring96.org www. spring96.org

In this number photos from the Centre "Viasna" archives are used.